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E-filed 11/16/05

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE VENUE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JON R. DOYLE,

Defendant.

Case No. CR-05-00199 HRL

STIPULATION AND ORDER
CONTINUING SENTENCING
HEARING

The parties hereby agree and stipulate as follows:

WHEREAS,

The parties have had informal discussions in an effort to resolve potential restitution issues prior to sentencing. Based on the discussions to date, the parties believe that additional time will be necessary for an agreement to be reached and for the potential funds to be available by defendant to pay restitution prior to the sentencing hearing. Therefore, the parties intend to seek leave of the court to vacate the existing sentencing date and set a new sentencing date to occur in the spring of 2006.

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IT IS THEREFORE STIPULATED AS FOLLOWS:

The case should be continued for a sentencing hearing to occur on Thursday, April 6, 2006 at 9:30 a.m. before the Honorable Howard R. Lloyd, United States Magistrate Judge.

Dated: November 3, 2005

BERLINER COHEN

By /s/ Christian E. Picone
FRANK R. UBHAUS
CHRISTIAN E. PICONE
ATTORNEYS FOR JON R. DOYLE

Dated: November 15, 2005

KEVIN D. RYAN
UNITED STATES ATTORNEY

By /s/ Shashi H. Kewlaranani
SHASHI H. KEWALRANANI
ASSISTANT UNITED STATES
ATTORNEY

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ORDER

Based on the foregoing stipulation signed by the government and counsel for defendant and good cause appearing therefore,

It is hereby ordered that the sentencing hearing scheduled for Thursday, January 5, 2006 is vacated and this matter is continued for a sentencing hearing to occur on Thursday, April 6, 2006 at 9:30 a.m.

Dated: November 16, 2005

/s/ Howard R. Lloyd

HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE